

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Dean Langford and Nancy Langford,  
husband and wife,

Plaintiffs,

v.

Zimmer, Inc. and Zimmer Holdings, Inc.,

Defendants.

Case No: 03-12245-RCL

[PROPOSED] ORDER AMENDING  
THE COURT'S SEPTEMBER 6, 2004  
ORDER DENYING PLAINTIFFS'  
MOTION TO AMEND TO PROVIDE  
FOR CERTIFICATION PURSUANT TO  
28 U.S.C. § 1292(b)

The above entitled matter came for consideration before the Honorable Reginald C. Lindsay, on Plaintiffs' Motion for an order pursuant to 28 U.S.C. § 1292(b) certifying this Court's September 6, 2004 Order for interlocutory appeal.

Based on all the files, records, pleadings, submissions and arguments of counsel, it is hereby **ORDERED**:

That the Order of this Court, entered on September 6, 2004 be, and the same is, amended to incorporate the following terms to provide certification of the September 6, 2004 Order for interlocutory appeal pursuant to 28 U.S.C. § 1292(b):

In the opinion of this Court, this Order involves a controlling question of law as to which there is substantial ground for difference of opinion, and an immediate appeal from this Order may materially advance the ultimate termination of this litigation.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

BY THE COURT:

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Reginald C. Lindsay  
District Court Judge